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SUBJECT: ROK QUESTIONS PERCEIVED USG POLICY SHIFTS ON DPRK

Classified By: POL M/C Joseph Y. Yun. Reasons 1.4 (b), (d).

SUMMARY

¶1. (C) In a May 1 meeting with the POL M/C, Cho Tae-yong, Director-General of MOFAT's North American Affairs Bureau, asked whether USG policy had changed toward the Kaesong Industrial Complex (KIC) and on granting asylum to North Koreans who had already been resettled in South Korea. Cho protested SENK Lefkowitz's April 28 op-ed in the Wall Street Journal, characterizing it as inaccurate and unbalanced. He said the commentary contrasted with previous USG statements of support for the KIC. Cho also sought clarification on the case of North Korean defector Seo Jae-sok, who, according to press accounts, was granted asylum status by the Los Angeles Immigration Court. Cho requested further information about how this case might represent or influence the USG view of North Korean defectors. See action request in para 11. END SUMMARY.

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PROTESTING SENK'S WSJ OP-ED

¶2. (C) North American Affairs Bureau Director-General Cho Tae-yong requested a meeting with POL M/C on May 1 to seek clarification on whether USG policy toward North Korea had changed recently. Cho pointed to the April 28 Wall Street Journal op-ed submitted by the Special Envoy on Human Rights in North Korea, Jay Lefkowitz, to express Seoul's disappointment over what Cho described as a negative and misleading portrayal of the Kaesong Industrial Complex (KIC).

ROKG officials had thought that Washington generally supported the KIC, but this op-ed made them wonder if that had changed.

¶3. (C) Cho said he wanted to deliver several points. First, the ROKG and most Korean people viewed the KIC as a positive development that deserved more credit from the international community. Second, ROKG officials, most recently in a visit to Washington, have made efforts to explain the KIC in a straightforward and clear manner. Third, when senior USG officials made criticisms, people would assume that this was the USG view. Fourth, the WSJ article was factually incorrect or at best failed to give an accurate description.

¶4. (C) The facts were, Cho stated, that 13 ROK firms were in operation in the KIC, employing 4,918 North Korean workers. Since the project began, the ROK has paid a total of USD 2.7

million in wages plus an additional USD 300,000 in taxes, resulting in USD 3 million for employment. The ROK spent an additional USD 12 million for use of the land. The equipment and facilities in the KIC were owned by the ROK. In other words, the ROK had spent at most tens of millions of dollars, rather than having had "pumped hundreds of millions of dollars" into the North.

15. (C) POL M/C replied that Hyundai Asan's own briefings sometimes blurred the line between its projects in Kaesong and Mount Kumgang. In addition, press accounts from time-to-time had mentioned ROK transfers of some USD 500 million in the North to facilitate some of the South Korean projects. Seconding the suggestion from the WSJ article, he suggested Seoul consider allowing the International Labor Organization to visit the KIC. MOFAT had helpfully facilitated the visits of two congressional staff delegations to KIC, along with accompanying Emboffs, who valued the opportunity to see conditions for themselves, POL M/C said.

16. (C) On North Korean refugees, Cho said the WSJ article mentioned that the USG would welcome resettlement to the United States, but the article did not mention that the ROKG had settled virtually all of the North Korean refugees to date. ROKG policy has been to accept any and all North Korean refugees who wish to live in South Korea, and so far the ROKG had taken around 7,000 defectors. Cho characterized this as an error of omission that contributed to the negative view of the enormous efforts the ROKG had expended toward humanitarian assistance for North Koreans.

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LA ASYLUM CASE

17. (C) DG Cho also sought clarification on the case of a North Korean defector, Seo Jae-sok, who, according to press accounts, was granted asylum status by the Los Angeles Immigration Court. Again, Cho asked if this represented a change in USG policy. It was his understanding that the USG was working with the ROKG on ways to resettle North Korean refugees who had not already received asylum in South Korea. Cho said that Mr. Seo was a South Korean citizen. Therefore, granting him political asylum could be viewed as South Korea lacking in political freedom, and that the applicant was politically repressed in South Korea. This was just not true.

18. (C) Specifically, Cho asked whether this case would affect the USG view of and policy toward North Korean defectors who had received ROK citizenship. Was the North Korean Human Rights Act the basis for this decision? If so, did this case contradict Section 302 of the NKHRA that said it was not intended "to apply to former North Korean nationals who have availed themselves of those rights" to citizenship under the ROKG Constitution?

19. (C) Lastly, Cho regretted that the USG had not informed the ROKG about this case. Seoul did not know if this case was over or if it would be appealed. While privacy concerns were to be expected, a lack of information placed ROK officials in the unenviable position of not being able to respond to questions from senior policymakers or the press.

110. (C) For example, Cho said, according to some press reports the individual may have had an earlier asylum request rejected by the Department of Homeland Security. Was this a case of the Judiciary Branch acting independently from the Executive Branch? According to another press account, the individual claimed that his resident registration in South Korea was canceled, and to some this might incorrectly suggest that the ROK had revoked his citizenship. Cho explained that when a person was no longer living at a particular address in Korea, his local residency was suspended, as would be one's drivers license in the United States if one moved to another state. Fuller consultations would have been able to remedy some of these misperceptions. Cho requested that the Embassy ask for information that could be conveyed to the ROKG.

¶11. (C) Action Request: We would appreciate Department's guidance on the following questions raised by DG Cho: (1) Has the USG view changed in regard to the KIC? (2) Is it the USG policy to accept for resettlement North Korean refugees who now have South Korean citizenship?

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